

**Administrative Order CWA-309(a)-15-011  
Comment Matrix for June 29, 2016 EPA Comments**

EPA Comment # and reference to last Response to Comments	EPA Comment	City Response
<p align="center">1. General</p> <p align="center">RTC 1</p>	<p>To where will the new treatment plant discharge? Once the new treatment plant is completed, local limits will need to be evaluated to ensure that the new plant is protected from pass through and interference and that all applicable pretreatment regulations are being complied with by the City and industrial users. The City's Pretreatment Program will need to be revised to ensure staffing, local limits, and legal authority are adequate to protect the existing and the new wastewater treatment plants.</p>	<p>The City has identified 3 possible sites for the WWTP. Discharge options include:</p> <ul style="list-style-type: none"> <li>• Discharge into an existing dry wash adjacent to the sites</li> <li>• Discharge into a rapid infiltration basin and evaporation pond</li> <li>• Reuse of discharge to an industrial business entity (NV Energy)</li> <li>• Land application of secondary effluent for xeriscape landscaping</li> </ul> <p>These options came from an April 16, 2016 draft Pre Design Report. (Copy attached) As design is only preliminary, we have not applied to NDEP for an NPDES permit yet.</p> <p>A local limits study will be performed as soon as the plant is commissioned and begins accepting influent. It is anticipated that there will potentially be 2 SIU's when the plant initially opens. Although we believe we will be adequately staffed with our current 4.0 FTE's, we will evaluate staffing when additional IU's are permitted.</p>

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2. ERP  RTC 19	<p>The ERP should reflect the range of all appropriate responses to a given violation. Section 4 of EPA's Guidance Document on ERPs states, "The Control Authority should consistently follow the response guide. To do otherwise sends a signal to industrial users and the public that the Control Authority is not acting in a predictable manner and may subject the Control Authority to charges of arbitrary enforcement decision making, thereby jeopardizing future enforcement." EPA recognizes that a range of enforcement responses may be appropriate for a given violation, based on a number of different factors (such as magnitude of the violation, other compliance history, etc as discussed in the ERP Guidance), but the statement on the front page of the revised ERP, <i>"The City may take other actions in response to violations than what is shown in this ERP based upon the actual non-compliance event,"</i> is not consistent with the ERP Guidance, nor with the requirements at 40 CFR 403.8(f)(5).</p>	<p>The Statement has been removed to facilitate finalization of the ERP. The Statement was consistent with 40 CFR Section 405.8(f)(5). Guidance language was permissive.</p>
3. Funding Plan  RTC 22	<p>Table 1, row 1 indicates 26 SIUs but rows 5 through 8 indicate 27 SIUs, which is the correct number? Also, the comment column indicates, "This number may drop to 22 if the Interlocal Agreement with Clark County is completed" - if this statement is not true, please revise as soon as known.</p>	<p>26 SIUs is correct. As CCWRD rejected our original Interlocal agreement, the number of SIUs will not drop so the statement will be revised.</p>

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4. ILC  RTC 28	RTC 28 – It appears that this response is just saying that the provisions in the District Pretreatment R&S apply in all cases (i.e., where they are the same, both City's and District's provisions apply, and where they are different, the District's apply). If this is the case, the City could simplify this sentence to state as much; or these provisions. If not, this needs to be clarified in what cases the City's regulations would apply IN PLACE OF the District's R&S.	Language simplified. See draft ILC
5. ILC  RTC 29	RTC 29 -As above in RTC 28, EPA could not find language in the Interlocal Pretreatment Contract giving the City the <u>legal authority</u> to enforce based on provisions that are only in the District's Pretreatment R&S or ERP (but not in the City's Ordinance/ERP). This legal authority should be explicitly stated in the Interlocal Pretreatment Contract.	Legal authority added. See draft ILC
6. ILC  RTC 33	Comment on RTC 33 -The Interlocal Pretreatment Contract should also require both the City and District to notify the other of any planned pretreatment program modifications prior to adoption, and provide updated program documents when modifications are made.	New section 2, paragraph B added to include this.
7. ERP	Section 11.C.2 IU Self-Monitoring (p.5) - Indicate that SIUs are required to self-monitor at least twice per year. The other IUs self-monitoring can be up to the City's discretion.	Added

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8. ERP	Section III.A. General Enforcement Authority (p.10) - What position is the Environmental Control Office? That position is not indicated in the organization chart. Is it outside of the Pretreatment Program?	Changed to “Senior Pretreatment Inspector”
9. ERP	Section III.B.3 Administrative Order (p.11) -Need a second paragraph explaining delivery of Administrative Order and how it goes to the IU file, similar to previous section on Notice of Violation.	Added
10. ERP	Section III.B.5 Consent Order (p.11) -Need a second paragraph explaining delivery of Consent Order and how it goes to the IU file, similar to earlier section on NOV.	Added.
11. ERP	Section III.B.6 Show Cause Hearing (p.12) -Need to indicate how information goes to IU file.	Added
11.a.	Cease and Desist Order - How is it delivered and how it goes to file.	Added
11.b.	Emergency Suspension	Added
11.c.	Revocation of Permit	Added
12. Funding Plan	Section II (p.2) Organization and Staffing. Need to add 0.5 FTE for Environmental Technician	Added
13. Funding Plan	Figure 1 (p.3) IPP Organization. Need to add 0.5 FTE for Environmental Technician	The 0.5 FTE is shown in the box to the left of WRF Supervisor.

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14. IPC	Section 1.F (p. 3) -Does the City intend for all of the City Service Area customers to be monitored, or just those discharging to the DISTRICT?	Under this IPC, monitor only customers discharging to the DISTRICT. This has been modified
15. IPC	Section 1.I (p. 4) -Does the City intend for all wastewater from the City Service Area comply with the District Pretreatment R&S, or just the wastewater that discharges to the District?	Just the wastewater discharging to the District. This has been modified
16. IPC	Section 1.J (p. 4) -Section is blank. Is this intentional or oversight?	This is an oversight and has been amended
17. IPC	Section 2.A (p. 9) – If provision in either pretreatment program is determined to be less stringent than federal regulations, then federal regulations will be followed AND program is modified to be at least equivalent to federal regulations.	Amended
18. IPC	Section 2.C (p. 10) - Does the City plan to submit to the District all information associated with all Sills, or just the Sills that discharge to the District? Did you mean to use "User" as defined in the Interlocal Pretreatment Contract?	Just the SIU's that discharge to the District User is defined as users of District's POTW in Section 2 A. Language has been clarified.